

**IMPLEMENTING ARRANGEMENT BETWEEN
THE FEDERAL HIGHWAY ADMINISTRATION OF
THE DEPARTMENT OF TRANSPORTATION OF THE
UNITED STATES OF AMERICA
AND
THE MINISTRY OF CONSTRUCTION OF JAPAN
ON
HIGHWAY SCIENCE AND TECHNOLOGY**

The Federal Highway Administration of the Department of Transportation of the United States of America ("FHWA") and the Ministry of Construction of Japan (the "Ministry"), hereinafter referred to as "the Parties,"

Desiring to promote and enhance public safety and community welfare by fostering research, development and improvement of highway structures and surfaces, and to promote, encourage, and advance a system of safer, more economical, efficient, and environmentally sound highway transportation through research, development, and cooperation; and

Desiring to proceed with cooperative activities pursuant to and governed by all the provisions of the Agreement Between the Government of the United States of America and the Government of Japan on Cooperation in Research and Development in Science and Technology (the "Agreement"), signed at Toronto on June 20, 1988, as extended;

Having agreed on the Implementing Arrangement on Highway Science and Technology on May 29, 1992 (the "previous Arrangement"); and

Desiring to revise the previous Arrangement, have agreed on the following, in accordance with Paragraph 3 of Article 2 of the Agreement:

**Article I.
Scope and Objectives**

The purpose of this Arrangement is to provide a foundation for the exchange of scientific information and technology related to highway transportation including, but not limited to, the following subjects:

1. Road Traffic Planning and Environment;
2. Road Traffic Safety;
3. Pavements and Road Maintenance;

4. Bridges and Other Structures;
5. Earthquake Engineering; and
6. Intelligent Transport Systems.

Article II. Cooperative Activities

Cooperation may be pursued through several means, including, but not limited to:

1. Free exchange of technical information, including, but not limited to, databases and publications, without regard to publication date;
2. Exchange of experts by the Parties on mutually acceptable term assignments;
3. Joint symposia and academic discussions on topics of mutual interest;
4. Joint research; and
5. Scanning and information gathering field studies.

Article III. Implementation

Specific cooperative activities shall be embodied in written implementing plans. These plans will cover the subjects, procedures, and terms of cooperation to be undertaken, the entities involved, and other appropriate matters related to the conditions of such cooperation. Funding arrangements shall be agreed upon on a case-by-case basis.

Article IV. Program Coordination

Each Party shall appoint a Program Coordinator(s) and notify the other Party of his or her identity and professional background within two months of the entry into force of this Arrangement. The Program Coordinators shall be responsible for overseeing and directing the course of the following activities:

1. Selecting activities;
2. Preparing periodic progress reports, which shall describe and review all activities conducted to date, and which may recommend further action;
3. Arranging meetings between representatives of the Parties; and
4. Meeting periodically to review the cooperation under this Arrangement and to consider any modifications to it.

Article V. Intellectual Property

Scientific and technical information of a non-proprietary nature derived from the cooperative activities conducted under this Arrangement may be made available to the public through customary channels and in accordance with the normal procedures of the participating agencies.

The treatment of intellectual property created or furnished in the course of the cooperative activities under this Arrangement shall be as set forth in Annex IV of the Agreement.

Article VI. Disclaimer

Information transmitted by one Party to the other Party under this Arrangement shall be accurate to the best knowledge and belief of the transmitting Party, but the transmitting Party shall not be liable for the content or use of such information.

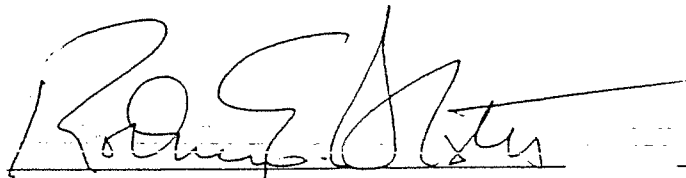
Article VII. Miscellaneous

1. The implementation of this Arrangement is subject to the Agreement.
2. This Arrangement shall enter into force upon signature and shall remain in force for 6 years provided that the Agreement remains in force. Either Party may terminate this Arrangement at any time upon 6 months written notice to the other Party. Such termination shall not affect the completion of ongoing activities, unless the Parties so agree. This Arrangement may be extended and amended by written agreement of the Parties provided that the Agreement remains in force.
3. This Arrangement supersedes the previous Arrangement. Cooperative activities undertaken under the previous Arrangement are hereby incorporated under this Arrangement.

DONE at Washington on this 17th day of January, 1997, and
at Tokyo on this 20th day of January, 1997.

FOR THE FEDERAL HIGHWAY
ADMINISTRATION OF THE
DEPARTMENT OF TRANSPORTATION
OF THE UNITED STATES OF AMERICA:

FOR THE MINISTRY OF
CONSTRUCTION OF JAPAN:



Rodney E. Slater
Federal Highway Administrator



Kotaro Hashimoto
Vice-Minister of Construction
for Engineering Affairs